

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Latrice Frazier	Team: Squad #1	CCRB Case #: 202003809	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 06/01/2020 3:45 PM	Location of Incident: Atlantic Avenue Barclays Center Station entrance	Precinct: 78	18 Mo. SOL 12/1/2021	EO SOL 5/4/2022	
Date/Time CV Reported Tue, 06/02/2020 4:50 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Tue, 06/02/2020 4:50 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POF Renee Thomas	08131	959296	TB DT30
2. POF Brigida Ferdinand	22220	963984	TB DT30
3. LT Awais Mazhar	00000	945243	TB DT32
4. CPT Tracy Mulet	00000	919452	TB DT32
5. POF Cynthia Torres	14894	961382	TB DT30
6. POM Steven Theophile	20214	959293	TB DT30

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. INS Dennis Fulton	00000	901574	PBBS
2. SGT Jose Dias	02663	948325	TB DT30
3. POM Kyle Williams	01605	954424	TB DT32
4. DTS Stephen Halk	7399	928450	LEG BUR
5. POF Janice Conwell	28520	924936	LEG BUR

Officer(s)	Allegation	Investigator Recommendation
A.POF Renee Thomas	Abuse: Police Officer Renee Thomas refused to provide her name to § 87(2)(b)	
B.POF Renee Thomas	Abuse: Police Officer Renee Thomas refused to provide her shield number to § 87(2)(b)	
C.POF Brigida Ferdinand	Abuse: Police Officer Brigida Ferdinand refused to provide her name to § 87(2)(b)	
D.POF Brigida Ferdinand	Abuse: Police Officer Brigida Ferdinand refused to provide her shield number to § 87(2)(b)	
E.LT Awais Mazhar	Abuse: Lieutenant Awais Mazhar refused to provide his name to § 87(2)(b)	

Officer(s)	Allegation	Investigator Recommendation
F.CPT Tracy Mulet	Abuse: Captain Tracy Mulet refused to provide her name to § 87(2)(b)	
G.POF Cynthia Torres	Abuse: Police Officer Cynthia Torres refused to provide her name to § 87(2)(b)	
H.POF Cynthia Torres	Abuse: Police Officer Cynthia Torres refused to provide her shield number to § 87(2)(b)	
I.POM Steven Theophile	Abuse: Police Officer Steven Theophile refused to provide his name to § 87(2)(b)	
J.POM Steven Theophile	Abuse: Police Officer Steven Theophile refused to provide his shield number to § 87(2)(b)	

Case Summary

On June 2, 2020, § 87(2)(b) filed a complaint via the CCRB's call processing system.

On June 1, 2020, at approximately 3:45 p.m., while participating in the George Floyd/Black Lives Matter protest at the Barclays Center in Brooklyn, § 87(2)(b) asked several officers (Police Officer Renee Thomas of Transit District 30, Police Officer Brigida Ferdinand of Transit District 30, Lieutenant Awais Mazhar of Transit District 32, Captain Tracy Mulet of Transit District 32, Police Officer Cynthia Torres of Transit District 30, and Police Officer Steven Theophile of Transit District 30) standing behind a barricade by the Atlantic Avenue – Barclay Center station entrance for their names and shield numbers. The officers pointed to their shirts and said this is my name and shield number without verbalizing their name or shield number (**Allegation A – J: Abuse of Authority**, § 87(2)(g)).

This incident did not involve arrests or summons, and BWC was not found for this incident. Per Patrol Guide 212-123, officers were not required to activate their body cameras (**Board Review 01**). A YouTube video of the alleged incident was found (**Board Review 02**). David § 87(2)(b) took a cell phone video from the protest (**Board Review 19**).

Findings and Recommendations

Allegation (A) Abuse of Authority: Police Officer Renee Thomas refused to provide her name to § 87(2)(b)

Allegation (B) Abuse of Authority: Police Officer Renee Thomas refused to provide her shield number to § 87(2)(b)

Allegation (C) Abuse of Authority: Police Officer Brigida Ferdinand refused to provide her name to § 87(2)(b)

Allegation (D) Abuse of Authority: Police Officer Brigida Ferdinand refused to provide her shield number to § 87(2)(b)

Allegation (E) Abuse of Authority: Lieutenant Awais Mazhar refused to provide his name to § 87(2)(b)

Allegation (F) Abuse of Authority: Captain Tracy Mulet refused to provide her name to § 87(2)(b)

Allegation (G) Abuse of Authority: Police Officer Cynthia Torres refused to provide her name to § 87(2)(b)

Allegation (H) Abuse of Authority: Police Officer Cynthia Torres refused to provide her shield number to § 87(2)(b)

Allegation (I) Abuse of Authority: Police Officer Steven Theophile refused to provide his name to § 87(2)(b)

Allegation (J) Abuse of Authority: Police Officer Steven Theophile refused to provide his shield number to § 87(2)(b)

§ 87(2)(b) approached the barricade in front of the Atlantic Avenue Barclays Center Subway Station entrance where the officers stood regulating the flow of traffic in and out of the subway station. Barricades separated the officers from the large group of protestors in Barclays Center Plaza. The officers stood approximately ten feet behind the barricade. § 87(2)(b) asked approximately seven officers standing closest behind the barricade, "Officer what's your name and badge number?" PO Kyle Williams and Sgt. Jose Dias got closer and provided their names and shield numbers. The other officers said, "This is my name and badge number," while lifting the shields that were on their shirts towards § 87(2)(b). § 87(2)(b) could not see the information, however, as the officers were not close enough. § 87(2)(b) could not fully provide descriptions of these officers. § 87(2)(b) was not certain of the descriptions of the officers he asked for names and shield numbers, but stated there were approximately three females, and the rest were male. § 87(2)(b) did not inform the officers who lifted their shields that he could not see their shields.

§ 87(2)(b) shouted at a supervisor in a white shirt, who also did not provide his name and shield number when asked. § 87(2)(b) stated that he was the loudest one in the crowd shouting for the supervisor's attention, but the supervisor turned his back to the crowd and spoke with the officers.

Growing frustrated, § 87(2)(b) asked a white male and female protestor (identified by the investigation as § 87(2)(b) to get the supervisor's name and shield number. The two protestors walked behind the barricade and § 87(2)(b) obtained several names and shield numbers and identified them as the officers who did not verbalize their names and shield numbers when § 87(2)(b) asked previously. § 87(2)(b) emailed this information to § 87(2)(b) (**Board Review 03**). § 87(2)(b) stated that the officers listed in the email were the officers who did not provide their names and shield numbers; however, he did not pay attention to how she obtained the identifying information. She provided him with the following names that he did not otherwise obtain: Thomas – 8131, Ferdinand – 22220, Lt Mazhar, Captain Mulet, Torres – 14894, and Theophile - 20214 (**Board Review 04**).

§ 87(2)(b) testified that she saw § 87(2)(b) passionately ask approximately a dozen officers for a supervisor, requested shield numbers, and was actively ignored. § 87(2)(b) stressed that § 87(2)(b) was loud, and his voice stood out in the crowd of protestors. § 87(2)(b) saw the officers look at him, but they stood their distance and did not respond. § 87(2)(b) stated that § 87(2)(b) asked for information from approximately three to six officers of color (black and Hispanic) and a couple of white shirt officers. § 87(2)(b) was not familiar with § 87(2)(b) but walked up to him and said, "I got you," after seeing the officers ignoring him. § 87(2)(b) thought she was least likely to get shot or arrested as a white female and decided on her own accord to assist § 87(2)(b). § 87(2)(b) passed the barricade and approached each officer who was in front of the subway staircase and individually asked them for their names and badge numbers. She obtained names and shield numbers of those who had not provided § 87(2)(b) with their information into her phone, later emailing them to him (**Board Review 03 and 05**).

§ 87(2)(b) generally corroborated the statement of her brother, § 87(2)(b) § 87(2)(b) (**Board Review 06**).

§ 87(2)(b) generally corroborated the statement of his brother § 87(2)(b) adding that § 87(2)(b)'s request was a broad statement requesting the information from officers and he heard § 87(2)(b) state that he could not read the information from the officers' shirts due to the distance. Thereafter, PO Williams and Sgt. Dias got closer and provided the information (**Board Review 07**).

A YouTube video posted by subscriber, Clint Thomas, entitled, June 1st, 2020 George Floyd Protest in Brooklyn (Barclays Center & March Over Brooklyn Bridge) was found and captured the lineup of officers in front of the Barclay Center Atlantic Avenue station entrance beginning at 00:40 and ending at 08:40, in which PO Ferdinand, PO Thomas, PO Theophile, PO Torres, and Lt. Mazhar were identified. The video captured § 87(2)(b) saying at 7:11 in the video player's run time, "Lieutenant I need your name and badge number; I need your name and badge number," to which Lt. Mazhar did not appear to hear or respond. At 7:46, it captured a white female wearing all black, identified as § 87(2)(b) approach the officers and engage them in an inaudible conversation while typing in her cell phone. At 8:48, it captured § 87(2)(b)'s audible conversation with Sergeant Jose Dias. The video did not capture the alleged moment when § 87(2)(b) asked the group of officers for their names and shield numbers, the officers' responses, or § 87(2)(b) complaining about the lack of responses to his request (**Board Review 02 and 08**).

PO Renee Thomas, PO Cynthia Torres, and PO Steven Theophile, all of Transit District 30, did not recognize § 87(2)(b) upon viewing a still shot (located in IA #166) obtained from cell phone video taken at the protest. None recalled any interaction with § 87(2)(b) or either him or another civilian ask for their names and shield numbers (**Board Reviews 09, 13-14**).

PO Brigida Ferdinand, of Transit District 30, recognized § 87(2)(b) from the still shot (mentioned above) as an individual from the protest but did not recall interacting with him. She did not recall whether § 87(2)(b) or any other civilian asked her or any other officers for names or shield numbers **(Board Review 10)**.

Lt. Awais Mazhar, of Transit District 32, did not recognize § 87(2)(b) from a still shot obtained from the above mentioned Youtube video (see IA#64). There were many protestors chanting and asking for names and shield numbers to which he provided his name by spelling it out “M-A-Z-H-A-R” when asked. Lt. Mazhar did not recall if § 87(2)(b) asked him or other officers for their names and shield numbers **(Board Review 11)**.

Cpt. Tracy Mulet, of Transit District 32, did not recognize the still shot of § 87(2)(b) from the cell phone video (IA #166). Cpt. Mulet stated that several protestors requested her name while she supervised the detail at the Barclay’s Center, and she provided her name each time, but she did not recall if § 87(2)(b) requested her name. At 8:43 minutes in the Youtube video player’s run time, Cpt. Mulet identified a female officer in a white shirt standing to the right of Lt. Mazhar, that resembled her, however, could not be certain as the full face was not captured **(Board Review 12)**.

The investigation determined that § 87(2)(b) watched § 87(2)(b) when he asked all members of service for their names and shield numbers and failed to get the requested information. § 87(2)(b) subsequently approached the members of service and documented their names and shield numbers which she emailed to § 87(2)(b). The subject officers were identified via the email of names and shield numbers that § 87(2)(b) sent to § 87(2)(b) minus the officers that identified themselves to § 87(2)(b) **(Board Review 03)**.

According to Patrol Guide 203-09 officers are to courteously and clearly state their rank, name, shield number and command, or otherwise provide them, to anyone who requests them, and allow the person ample time to note the information **(Board Review 15)**.

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party **(Board Review 16)**.
- Police Officer Renee Thomas has been a member-of-service for five years and this is the first CCRB complaint to which she has been subject.
- Police Officer Brigida Ferdinand has been a member-of-service for three years and this is the first CCRB complaint to which she has been a subject.
- Lieutenant Awais Mazhar has been a member-of-service for 13 years and this is the first CCRB complaint to which he has been a subject.
- Captain Tracy Mulet has been a member-of-service for 23 years and this is the first CCRB complaint to which she has been a subject.
- Police Officer Cynthia Torres has been a member-of-service for four years and this is the first complaint to which she has been a subject.
- Police Officer Steven Theophile has been a member-of-service for five years and has been a subject in one CCRB complaint and two allegations, neither of which was substantiated.

§ 87(2)(g)

Mediation, Civil and Criminal Histories

- This complaint was not suitable for mediation.
- According to the Office of Court Administration (OCA), § 87(2)(b) has no history of convictions in New York City (**Board Review 17**).
- As of September 16, 2020, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this complaint (**Board Review 18**).

Squad No.: 1

Investigator: Inv. Frazier 10/15/20
 Signature Print Title & Name Date

Squad Leader: Mgr. Joy Almeyda 10.15.20
 Signature Print Title & Name Date